

READINGTON TOWNSHIP BOARD OF HEALTH MEETING

March 15, 2006 7:00 pm

Chair William C. Nugent called the meeting to order at 7:12 p.m. and announced that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

Attendance Roll Call:

Christina Albrecht	present	Raymond Facinelli	present	William C. Nugent	present
Daniel Allen	present	Stephanie Moore	absent	Wendy Sheay	present
Jane Butula	present	Beatrice Muir	absent		

Also Present: Board of Health Engineer: Ferriero Engr., representative Mr. John Hansen
Board of Health Attorney: Ms. Marisa Taormina
Hunterdon County Health Department: Ms. Deb Vaccarella

A. APPROVAL OF THE MINUTES

1. Minutes of February 15, 2006.

A **MOTION** was made by Ms. Butula to **approve** the minutes of 2/15/06. This motion was seconded by Mr. Facinelli and passed with a vote of ayes all; nays none recorded. Ms. Butula noted a correction which had already been made, pg. 7 of 7, Ms. Moore had seconded the motion to close the meeting; and it was noted that pg. 1 of 7, Ms. Muir had abstained from voting on the approval of the 1/28/06 minutes.

On roll call vote the following was recorded for approval of the 2/15/06 minutes:

Ms. Albrecht	Abstain	Ms. Butula	Aye	Ms. Sheay	Aye
Dr. Allen	Aye	Mr. Facinelli	Aye	Chair Nugent	Aye

B. CORRESPONDENCE

1. NALBOH membership.

Chair Nugent noted that membership cards were included.

2. **Suspected Hazardous Discharge Notification** letter dated 2/23/06 regarding heating oil at 2 Oakland Dr.

3. **Suspected Hazardous Discharge Notification** letter dated 2/23/06 regarding oil at 25 Higginsville Rd.

4. **Suspected Hazardous Discharge Notification** letter dated 1/21/06 regarding gasoline at 35 Broad St.

5. **Suspected Hazardous Discharge Notification** letter dated 2/16/06 regarding gasoline at 6 Whitehouse Ave.

6. NJDEP stream encroachment permit rejection.

Chair Nugent noted the rejection by NJDEP.

7. **PK Environmental** - letter dated 2/13/06 regarding Block 97/Lot 2.

Ms. Butula noted that this correction was made based on the state inspection.

8. NJDEP – UST investigation Hess Station, Route 202.

Ms. Butula noted this follow up to a system failure, and that no source had been determined.

9. **Eastern States Env. Assoc.** - application for Block 97/Lot 4.

10. **Letter dated 2/27/06** regarding Fallone Properties, LLC. v. Twp. of Readington.

Ms. Taormina stated this is a closed out case, a stipulation of dismissal with prejudice, meaning it cannot be brought again.

11. NJLBOH renewal.

A **MOTION** was made by Mr. Facinelli to renew membership in NJLBOH. This motion was seconded by Ms. Butula. On roll call vote the following was recorded:

Ms. Albrecht	Aye	Ms. Butula	Aye	Ms. Sheay	Aye
Dr. Allen	Aye	Mr. Facinelli	Aye	Chair Nugent	Aye

Chair Nugent noted the following two repairs.

C. Septic Repairs (*HCHD status in italics*).

1. Septic System Repair Approval from HCHD, B 13/L 55.03. *No action. Carried:*
2. Septic System Repair Approval from HCHD, B 47/L 7. *No action.*

D. OLD BUSINESS

1. **Public Health System Assessment Committee**, subcommittee meeting – 3/1/06.

Ms. Butula noted the subcommittee meeting, which was held here at the Municipal Bldg., and went very well. Another meeting on the 7th, for delivery of service #7 also went well. The major meeting of the entire partnership which had been scheduled for 3/16/06 will be rescheduled.

2. **Revision to motion template.**

Chair Nugent stated this is for the peat biofiltration systems, and had been distributed by email. This should have been ‘revision to the deed notice’, which was distributed to the board members this evening.

3. **Budget - in progress.**

Chair Nugent has been in touch with the finance department and the township clerk, work is still in progress. Chair noted to counsel that there may be some adjustments to the ordinance related to the fees associated for BOH services. Ms. Taormina stated vital statistic fees may be incorporated into this.

4. **Emergency Operations Plan - update.**

Chair Nugent stated revisions are being made to the radiological update. Ms. Vaccarella stated that plan had been based on an old HCHD plan.

5. **Block 64/Lot 19 – Update on UST.**

Chair Nugent confirmed with Ms. Vaccarella that HCHD had looked into this, the outstanding issue being the suggestion that the engineer should come back before the board to correct the absence of the foundation. Ms. Taormina stated that is an option that the board has. Ms. Vaccarella stated if the board decides not to, all of that information will be on file.

6. **Governance Document.**

Chair Nugent stated this still has to be addressed.

E. NEW BUSINESS

1. **Soil survey maps.**

Ms. Sheay presented a soil survey map which had been downloaded.

F. APPROVALS

Category A. – Single Lots

1. **Block 66/Lot 27.07 – Biggs Engr. - Lucia – Carkhuff Road.**

Escrow fees paid 2/13/06, Check #7443 \$500.00.

Mr. Jess Symonds, NJ licensed PE appeared before the board. An alteration to a malfunctioning system is proposed. HCHD letter noted two items of concern, use of a pump, and the regional water table less than 24”.

Soil logs and basin floods were done 9/12/05. There is no expansion to the home.

There was some discussion of the location of the testing.

Ms. Butula noted that the board usually asks for the soils map to be included on the plan.

Mr. Symonds stated the soils are PEB, Penn soil.

Chair Nugent asked about the adjoining properties, locations of wells and septic systems and

the proximity to the septic bed.

Mr. Symonds stated the property to the northwest is vacant. Lot 25.900.

Chair Nugent asked if there were a drainage easement on the property, and does the Pine Bank Stream run through that property.

Mr. Symonds stated yes, the easement is approximately 350' away from the stream. The property to the northeast, the well is near the front of the dwelling. To the southwest, the well is in the front, and the septic is in the rear.

The adjoining wells and septic are all at least 150' from the proposed system.

Ms. Butula asked if the surveyor had signed or sealed the plan.

Mr. Symonds stated no, the surveyor did do the topo map.

Ms. Albrecht asked what the distance was between the drainpipe shown on the witness' map and the field.

Mr. Symonds stated about 75', there is an inlet at the corner of the driveway, it is a 6" PVC pipe that goes down into the woods just off the property line.

Ms. Vaccarella stated their office did a site inspection, and a wetlands check is done on each property that they review. The inspection indicated that there was no evidence of wetlands, no streams nearby, and all the wells offsite are more than 100' away.

Ms. Butula suggested making a recommendation to Code Enforcement with regard to the drain.

The following items are required by the board:

- Topographic survey with signature.
- Soils map, photocopy is fine.
- Drainage should be shown on the map.

Ms. Butula stated she would like to have seen other areas explored.

Chair Nugent advised Mr. Symonds to take the boards suggestions, get the data back to the board as soon as possible.

Ms. Albrecht stepped down at 8:08 p.m.

2. Block 70/Lot 17.23 – Parker Engr. - Siniscalco – Osage Court.

Escrow fees paid 12/7/05, Check #5839 \$500.00; 3/8/06 Check#5855 \$500.00.

Previously heard 1/18/06, 2/15/06.

Mr. Steve Parker NJ licensed PE appeared before the board. Mr. Parker stated at the previous meeting, there was a question of the adequacy of the peat tank to accommodate the waste flow from the 4 bedroom house, at 600-650 gallons. One 650 tank was substituted for with two STB 500's. They are bottom lined/enclosed peat systems, however, there are two of them, each slightly over 400 gallons, for a combined total just over 800 gallons. To distribute the flow into those units, a distribution box between the septic tank and the units will split it equally into the two units. From there it goes into the pump tank, a 1300 gallon pump pit provides a full days capacity. The manufacturer states 31" treatment zone is provided inside the peat unit. The disposal field has been raised an additional 7" and 7" of select fill will be provided above the highest groundwater level, for a combined total of 48" zone of treatment. Those are the basic changes to the plan, in addition some information has been supplied for the maintenance, the installation and the annual check up that goes with this system. An inquiry to the state regarding the closed bottom peat unit below the water table did not receive a response.

Chair Nugent stated Mr. Parker had responded to the state specific to whether the EcoFlo STB 650 was approved for installation below the regional zone of saturation. The DEP has chosen to establish a policy whereby they only react and respond to boards for questions with the intent to make sure that the board understands the question they want to ask, then the information is conveyed to the administrative authority as opposed to an engineer that could misinterpret or askew the results. Chair Nugent took the response from Mark Miller, NJDEP "the department understands the confusion on the issue of how to appropriately use peat biofilter technology in areas with high groundwater tables. The intent of the condition, design installation #6 specifies that the entire zone of treatment be above the seasonal high water table was originally meant to

address issues involved where open bottom peat designs could have issues in saturated groundwater conditions, however, there are still issues with saturated conditions when dealing with closed peat biofilter treatment units that have to be considered if it is desirable to install the treatment unit within a zone of saturation. The primary concern is water tightness of the unit, to avoid any influx of groundwater into the unit, which would substantially compromise its functionality. Therefore, these close bottom units should be limited to single piece units that can be demonstrated to be water tight through vacuum or hydrostatic testing preferably after placement. These types of testing methods should be completed in accordance with ASTM or other nationally accepted methodologies. Further these units should be carefully backfilled with material that is free of stone and other debris to insure that the unit is not accidentally punctured during the installation or from shifting materials settling after the installation.

Chair Nugent stated that he had asked Mr. Parker to confirm the water tightness of the peat module. Mr. Parker stated that he had talked to Premier Tech, they do not make a one piece bottom lined unit, but as standard procedure, a water tightness test is done. There is a procedure for installing the unit on site, after installation. Before it gets back filled it is tested.

Chair Nugent asked if there were any type of *inaudible"ation"* ? of the water tightness and testing performed regarding the water tightness.

Mr. Parker stated there are no records as to whether or how its been tested, but given the testing that is completed onsite, it is pretty obvious if it is leaking or not.

Mr. Siniscalco, homeowner, stated they were planning on doing a tightness test anyway.

Ms. Vaccarella stated at a recent DEP seminar at Rutgers, one of the things stressed was that the tightness test be done by engineers, and the procedure given is in the EPA manual, which can be provided. A water tightness certification would be required as part of this application by HCHD.

Ms. Vaccarella stated the tank installations she has observed are solid piped to atmosphere, either through the pump tank air vent, or the house air vent.

Ms. Taormina confirmed that Mr. Siniscalco was still sworn in.

There was some discussion of the depth of the tank at installation.

Mr. Parker stated the lid of the unit has to be 2" above grade, up to 1 riser.

Chair Nugent asked what happens to the air duct.

Mr. Siniscalco stated it is vented through the septic tank through the house, like a regular septic.

There was some discussion of the distribution between the two peat modules, back to the single pump tank.

Chair Nugent noted in Ferriero Engr. letter dated 3/14/06, comment #3. indicated a bed component rise, also the section view on map dated 12/7/05, the elevations, there was a 6 -7" increase.

Mr. Hansen stated that was determined by the difference in the finished grade from the old plan and the new plan.

Mr. Parker stated they raised the level of infiltration, the interface between the stone and the top of the select fill, that was raised 7". The elevation of the existing grade on the high side has not changed, the level of infiltration is what has changed, is now at 96.7.

Mr. Hansen confirmed that the bed was increased by the required 7".

Mr. Parker provided a revised map dated 3/3/06, pg. 1 of 2 per HCHD review letter dated 3/8/06, pg. 2 of 2 dated 3/6/06.

Chair Nugent thanked the County for the prompt review of the revised material.

A **MOTION** was made by Ms. Butula to **approve soils data** submitted for Block 70/Lot 17.23 from a map named Septic System Design for Lot 17.23/Block 70, original date 12/7/05, revisions 12/19/05, 1/3/06, 1/25/06, 3/1/06,3/3/06 p. 1 of 2, 3/6/06, prepared by Steven Parker, licensed engineer in NJ, also Daniel Parker, licensed surveyor in NJ. Ferriero Engr. reports dated 12/14/05, 1/30/06, 3/14/06, HCHD reports dated 1/27/06, 1/30/06, 3/8/06. This is an alteration with no expansion for a malfunctioning system for an existing residence. The primary, soil log 1, mottling from 20" to 48", seepage from 49" to 96". Soil log 2, mottling from 20" to 43", seepage from 62" to 107". Permeability test is pit bail 2 @ 101", done 11/29/05 with 12.4"/hour, passing.

Regional zone determined at 20". The PEAT MOSS BIOFILTER TREATMENT SYSTEM MOTION has been considered due to the fact that we have an existing home with residents in our town with a seriously malfunctioning failing septic system with a regional groundwater level of 20" from the surface. This is an existing home with greatly defined difficulties and we have been presented with an extensive amount of materials for this peat moss biofilter treatment system which has revealed to us scientific proof that it is going to provide better treatment of the effluent and will improve the conditions of the malfunctioning system to a much higher level for the health and safety of the community. Normal field size will be maintained, there is no reduction. ***THIS BOARD MOVES TO APPROVE A PEAT BIOFILTER TREATMENT SYSTEM FOR BLOCK 70, LOT 17.23, 7 Osage Court, SUBJECT TO THE FOLLOWING CONDITIONS:***

1. Immediately following the installation of the peat biofilter treatment system septic tank, a water tightness test shall be conducted according to the approved testing techniques, of which the County has offered to provide the engineer a copy of the EPA approved test, also we would like the manufacturer to supply us with information that would certify the unit to sufficiently bear the hydraulic pressures of saturated conditions to guarantee that the vessel will not be breached, and also information that floatation will not result. The test results shall be forwarded to the Board of Health by the property owner, within 15 days from receipt of same.
2. The Board of Health shall require Mr. Anthony Siniscalco, who is the property owner of record, to record with the deed to the property, a notice that identifies the technology being utilized, acknowledges the owner's responsibility to operate and maintain the system through an appropriate service provider, and grant access to the property for the purpose of system monitoring and inspection ("Deed Notice"). A form notice can be obtained from the secretary of the Board of Health. Said Notice shall be filed with the Hunterdon County Clerk. "Filed" copies of the Deed Notice shall be provided to the Board of Health and the Hunterdon County Health Department within fifteen (15) days of filing date.
3. The Board of Health shall require Mr. Anthony Siniscalco, the property owner of record or the future owner of the property, to provide to any future purchaser a copy of the Deed Notice, prior to entering into a contract for sale of the subject property.
4. The peat biofilter treatment system shall be covered by a minimum five (5) year, fully transferable warranty for all components of the peat biofilter.
5. As part of, or in addition to the initial minimum five (5) year warranty, the subject peat biofilter treatment system shall be covered by a renewable and fully transferable service contract which can never be cancelled. The Board of Health shall have the authority to verify the validity of same, and to request and receive all relevant information from the service provider.
6. Mr. Anthony Siniscalco, as the property owner of record, must provide a valid copy of the original warranty and/or service contract for the peat biofilter treatment system to the Board of Health, when issued.
7. Annually, Mr. Anthony Siniscalco, the property owner of record, or any future property owner, shall submit written verification to the Readington Township Board of Health following the initial minimum 5-year warranty/service contract period, that a new annual service contract is currently valid and in effect for the subject system. Annual service contracts shall not be cancellable.
8. The service contract shall include provisions for the manufacturer or its agent to inspect the system at least once a year, or more, as recommended by the manufacturer, to insure the system was installed and is operating properly, and is functioning in accordance with manufacturer specifications. The service contract shall also include a reasonable estimate of costs to repair any problems associated with the inadequate function of the disposal system.
9. The service contract shall authorize the undertaking of any maintenance or repairs determined to be necessary during any such inspection, or as a result of observations made, at any other time. However, it shall be the responsibility of the property owner to assure proper maintenance and service of the disposal system, and that all necessary permits are obtained prior to any repairs to the system.

10. The service contract shall include, but is not limited to the inspection of motors, airflow, effluent and measurement of sludge. An employee trained by the manufacturer (“service provider”) shall conduct an inspection of the internal components and peat material, and maintain the peat filter to ensure the system is functioning properly, and to optimize treatment performance. Service providers shall maintain documentation from the manufacturer, that the individual performing inspection, service or other routine maintenance is currently authorized by the manufacturer to do so. Proof of authorization and training of said service provider, and all training materials utilized shall be made available to the Readington Township Board of Health, upon request.

11. Prior to the execution of a service contract, the manufacturer or its agent shall provide the property owner with a copy of the current version of “Guidance for Approving Alterations to Existing and Malfunctioning Systems Using Peat Biofilter Treatment Systems”, prepared by the NJDEP. A copy can be obtained from the Readington Township Board of Health Secretary.

12. It is the responsibility of the manufacturer, or its agent, to supply the Readington Township Board of Health with an acknowledgement signed by the property owner, that a copy of the current Guidance Document has been received and reviewed prior to installation of the peat biofilter treatment system. The manufacturer or its agent shall not deliver any system components until such documentation has been provided to the Readington Township Board of Health.

13. Notice for failure to renew the service contract shall be directed to the Readington Township Board of Health by the service provider or its agent, within 7 days from date information is received by the service provider.

14. The manufacturer or its agent shall provide an annual report on January 1st of every year to the Readington Township Board of Health, identifying each system within its jurisdiction, the status of the service contract, the current service provider(s), identification of any service problems associated with the systems, and the manner in which they were corrected.

15. This approval does not exempt the property owner or his agents from the responsibility to comply with all other applicable Federal, State, County and Readington Township Board of Health ordinances.

16. Readington Township Board of Health reserves the right to take any and all necessary action to compel the property owner to cease use of the system, if the property owner fails to comply with the conditions contained herein.

VARIANCE(S):

The applicant has met the criteria set forth in Readington Township Ordinance BH:98-02, Section 4, and accordingly the variance(s) for: The installation of the alternate septic system Ecoflo with a peat based biofiltration system and appropriate notification of all requiring neighboring property owners has been done and proof of this has been submitted to the Readington Township Board of Health.

The following documents were involved in this application and studied by the members of the Readington Township Board of Health.

1) Premier Tech Environment Ecoflo Peat Filters Maintenance Manual and Homeowners User Guide, received electronically 3/15/06.

2) Ecoflo Peat Filters Annual Maintenance Guide and Premier Tech Environment STB-500/650 Ecoflo Biofilter with submersible collecting bottom assembly guide specifications 2005 edition.

This approval includes a deed restricted pump system, in addition to the peat system deed restriction, to be filed with the Hunterdon County Clerk’s office, a copy to be returned to the Readington Township Board of Health office.

This motion was seconded by Mr Facinelli. On roll call vote the following was recorded:

Dr. Allen	Aye	Mr. Facinelli	Aye	Chair Nugent	Aye
Ms. Butula	Aye	Ms. Sheay	Aye		

Ms. Butula stated this motion was entertained because this applicant is a property owner of record, and has a problem that is very serious, a very unique problem, and we have a system that the homeowner has worked very hard to show the board would be an improvement for the health and safety of their neighborhood and home.

Ms. Vaccarella stated that if the board would like, HCHD will contact the BOH office when installation is started.

Ms. Butula stated yes, it would be an educational opportunity for the board.

Mr. Siniscalco stated the whole process will be videotaped, if the board would like to review it.

Dr. Allen recused himself at 9:11p.m.

Ms. Taormina confirmed with Mr. Clark, counsel for Wilmark Bldg. Contract, that there was sufficient quorum to hear his clients application.

Mr. Clark stated if anyone had a conflict with the Wilmark, Mark Hartman applicant, if anyone thought they may, it could be discussed.

Ms. Vaccarella stated Mr. Hartman was her landlord for a short time.

Ms. Taormina and Mr. Clark agreed that that was not a conflict.

There was no comment regarding a conflict from the board members.

Category B. – Subdivisions

1. Block 25/Lot 38.01 – Heritage Consulting Engr. - Stanton Place IV, Wilmark Bldg. Contractors – Route 523.

Escrow fees paid:

8/8/05, Check#10697 \$1250; 11/30/05, Check#11030 \$1250;

1/23/06, Check#11221 \$1250; 2/28/05, Check#11340 \$1250.

Previously heard 11/17/03; was listed on 12/21/05 agenda, applicant withdrew.

Data sent with 12/21/05 meeting packets.

Chair Nugent stated this application before us for Block 25/Lot 38.01 has been discussed numerous times over the past months. This is Block 25/Lot 38.01, identified as Indian Purchase Extension. Total lots needing approval is 10, the name of the applicant is Wilmark Building Contractors, Inc., the engineer is Mr. Leo Santowasso, address is Heritage Consulting Engr., 115D Hwy. 202, Ringoes, NJ 08551. This application

has been the subject of the following correspondence, conversations, and meetings:

- Ferriero Engineering letters dated 10/28/05, 12/8/05, 2/6/06, 3/1/06, a fax dated 2/23/06.
- Meeting at Ferriero Engr. on 1/5/06.
- Correspondence between counsels and the BOH dated:
 - 11/16/05 from Richard Clark to the Board of Health “This letter is a formal protest....”
 - 11/23/05 from our counsel to the applicants counsel “I am in receipt of your letter dated 11/16/05.....”
 - 11/23/05 from the applicants counsel to our counsel “Your response is noted and...”.
 - 11/30/05 from our counsel to the applicants counsel “ I am in receipt of your 11/23/05 letter....”
 - 12/2/05 from the applicants counsel to our counsel “Revised plans were submitted on.....”
 - 12/14/05 from the applicants counsel to our counsel “Thank you for the board’s agreement to place..”
 - 12/15/05 from our counsel to the applicants counsel “I am in receipt of your 12/14/05 letter....”
 - 12/20/05 from the applicants counsel to our counsel “Based upon various communications...”
 - 12/23/05 from our counsel to the applicants counsel “In response to your 12/20/05 letter...”
 - 1/18/06 from the applicants counsel to the Board of Health “Please carry the Wilmark matter....”
 - 1/19/06 from the applicants counsel to the Board of Health Secretary “In accordance with my assistant’s...”
 - 2/6/06 from our counsel to the applicants counsel “In reponse to your 1/19/06 letter....”
 - 2/10/06 from the applicants counsel to our counsel “My engineer has reviewed the letter....”

- 2/15/06 from the applicants counsel to our counsel “Following up on our telephone conference...”
- 2/15/06 from our counsel to the applicants counsel “I have reviewed your letter dated...”
- 2/28/06 from the applicants counsel to our counsel “My understanding is that the agenda...”
- Teleconference on 2/15/06 between applicants counsel, applicants engineer, Board of Health counsel and Chair Nugent.
- Teleconference on 2/28/06 between Chair Nugent and counsels Cohen and Taormina.

Also, for the record, in applicants counsel’s letter dated 2/15/06, it was mentioned that Lot 38.03 had been submitted as a minor in 2003. To clarify, that application was heard 11/2003, however, there was no action taken by this board on behalf of that application. Specifically, a note on that material asked the applicant to clarify the application to explain the HCHD receipt of an application for Lot 38, not 38.01, along with numerous other discussions that occurred as evidenced by the minutes from that meeting.

Chair Nugent confirmed with BOH counsel Ms. Taormina that everything necessary had been covered for the record.

Mr. Richard Clark, Laddey, Clark & Ryan, Sparta, NJ introduced himself as the attorney for Wilmark, the applicant. Mr. Mark Hartman, property owner, and Mr. Leo Santowasso, Heritage Consulting Engr. were introduced by Mr. Clark.

Ms. Taormina swore in Mr. Santowasso.

Mr. Clark confirmed that Mr. Santowasso is a licensed engineer in the state of NJ, since 1966, Mr. Santowasso has worked on septic designs for single family residential houses, as well as others, and has been doing so since 1970. Mr. Santowasso was instrumental in preparing the application before this board, filed the application, and met with the Board of Health engineer.

Mr. Clark asked based upon all of the history, what is Mr. Santowasso’s opinion of the qualification acceptability of all 10 lots for septic purposes.

Mr. Santowasso stated as a result of the meeting with Mr. Hansen at Ferriero’s office on 1/5/06, there were some additional requirements with testing soil logs and relocation of some of the tests in order to satisfy some of the requirements that were in previous reports issued by Ferriero’s office. We have submitted for this hearing, revised and updated soil testing reports on the HCHD forms in conjunction with the revised map called Preliminary Major Subdivision Soil Test for Stanton Place, last revised 1/6/06, original date 11/21/05, as a result of this additional work and a review by Ferriero’s office dated 3/1/06, Mr. Santowasso believes that each of the lots now conform with the requirements of the state code and the Readington Township code, and are appropriate and can support a septic system to be designed on this soil log data and information to comply with the regulations for review by the HCHD without exception, for all of these lots in Block 25, Lot 38.02, 38.03 – which was tested by Bohren and Bohren in April 2001, 38.04, 38.05, 38.06, 38.07, 38.08, 38.09, 38.10, 38.11. Ferriero report dated 3/1/06 and a conversation with Mr. Hansen confirmed that all of the requested revisions had been complied with, and each of these lots are ready to be approved by the board tonight.

Chair Nugent stated the board typically asks that the location of the houses and wells is indicated on the map, is there another map that addresses this?

Mr. Santowasso stated there was a set of drawings with the preliminary plan application that indicated the general location of the houses and driveways. The locations of the primary and reserve systems, the wells on each lot and adjoining lots will meet all the spacial requirements of the code, to enable the house, driveway, well and septic system to exist on all the lots in accordance with the regulations.

Chair Nugent stated a map before him entitled Preliminary Major Subdivision Grading and SESC Plan for Stanton Place Block 25/Lot 38.01, Readington Township, Hunterdon County New Jersey; dated 4/14/03 signed by Cheryl L. Silakoski, P.E., Lic. # 39241, with 7 revisions dated 6/10/03, 9/17/03, 8/20/04, 1/5/05, 3/5/05, 4/1/05, 4/26/05 and 7/20/05.

Chair Nugent asked if this map is an accurate and correct map that can be used to reference regarding the location of the wells and proposed homes relative to the proposed fields. This map was received by the Board of Health secretary and date stamped 8/8/05.

Mr. Santowasso stated this map does not show the latest information to coincide with the soils test location map because on lot 38.07 there is a slight shift in location in what would be called the reserve area for that lot that has been pushed away from the road right-of-way based on new soil logs taken. The question of meeting the 50' from inlet and drainage system, which may have been leaning to be a water course, in our opinion, it does not qualify as a water course, but with regard to other conditions on the previous soil log information, additional testing was done, and the reserve area was pushed away. In all of the other lots, in his opinion are appropriately depicted with the house location, the driveway, the septic system primary and reserve area and well to meet code requirements.

Ms. Butula stated she worked off that map largely because it was the only map signed by an engineer, the other map was only from a surveyor.

Chair Nugent confirmed that except for Lot 38.07, the map just mentioned is accurate and exact with regard to the location of the proposed septic components, proposed well and proposed homes.

Mr. Santowasso stated yes, 38.07 was the only lot with any revision or addition to it.

Chair Nugent confirmed there was no change in designation between primary and reserve, or soil log numbering anywhere else, on any other lots.

Mr. Santowasso stated he did not believe so. There were some new numbers assigned to the tests done on 1/6/06, shown on the soil test map on the reserve system for Lot 38.07, there is a 1606A that is not on the 3rd map, but everything else should be consistent.

Chair Nugent asked if that was only applicable to 38.07, was there any other testing done on any other lots after 03?

Mr. Santowasso stated the only new soil log shown on the soil test map is the one on 38.07, everything else should be consistent.

Mr. Mark Hartman, Wilmark Builders, introduced himself.

Ms. Taormina swore in Mr. Hartman.

Mr. Hartman stated the only difference on the maps that Mr. Santowasso is looking at, is that one new soil log was added, marked on Lot 38.07. We had to reperk 3, 4 lots, because of the state standards of 50% less coarse rocky soil, 350 gallons were dumped in twice to do basin floods, which was not acceptable to state standards, so they went back and did an 8" hole, it is right in the soil logs, we just perked in the same hole, there were two tests in there, the basin flood and perk in the same location, lower into undisturbed.

Chair Nugent confirmed that Mr. Hansen was aware of what Mr. Hartman testified to.

Chair Nugent stated they would approach this lot by lot, starting with lot 38.02, reminding everyone that the board typically does not hear any new applications, or begin new lots after 10:00 pm.

Chair Nugent stated beginning with 38.02, if Mr. Santowasso would define the primary and reserve and what the soil logs are.

Mr. Santowasso stated Lot 38.02, the primary is on the left and the reserve is on the right as you stand in the road and look at the lot. Soil logs were down to 126", 144", 120". Soil log 7-40605, 38.02 for the primary, depth 126", no ground water, no mottling, regional zone of saturation @60", established by in season ground water monitoring for 3 days. Soil log 8-40605, in the primary, depth 144", ground water found at 6' on 4/7/05, 48 hours, ground water found at 5.5' on 4/8/05 and 72 hours ground water found 5.5' on 4/9/05; no mottling, seepage @ 100", regional zone of saturation 66". Soil log 9-40605 for the reserve, done on 4/6/05, depth 120", ground water found after 24, 48 and 72 hours for a depth of 5.5' to a depth of 5.84' from 4/7/05 – 4/9/05, no mottling, seepage at 108, regional zone of saturation at 66". Soil log 10-40605 for the reserve done 4/6/05, depth of 120", ground water at 24 hour interval at 6', 72 hour at 6.33', no mottling; seepage at 80", regional zone of saturation 72". Pit bail tests were done, 1-40605 in the primary established a K3, pitbail done for the reserve pitbail 2-40605, established a K3 value.

Chair Nugent asked if there were any concerns or discussion by the board for proposed Lot 38.02.

Ms. Butula stated that the information in the motion for the maps, LOI, wetlands, etc., would pertain to all future lots.

A **MOTION** was made by Ms. Butula for **Block 25/Lot 38.02**, on a map named Preliminary Major Subdivision Grading & SESC Plan for STANTON PLACE date 4/14/03, revisions 6/10/03, 9/17/03, 8/20/04, 3/5/05, 4/1/05, 4/26/05, and 7/20/05 page 3 of 12, and on another map stated Preliminary Major Subdivision Soil Test for STANON PLACE dated 11/21/05, revisions 11/21/05 and 1/6/06. This is stated and will pertain to all other motions for future lots in this Block. Also, another map 1 of 12 titled Preliminary Major Subdivision Lot Layout for Stanton Place, originally dated 4/14/03, revisions 6/10/03, 9/17/03, 8/20/04, 1/5/05, 3/5/05 and 4/1/05. Also considering reports from Ferriero Engr. dated 10/28/05, 12/8/05, 2/6/06, 3/1/06, fax 2/23/06. Also, response letters from Heritage Consulting, Mr. Santowasso, 11/29/05, 12/23/05, 1/25/06, 2/28/06. For consideration of soils data, the final copy received from Mr. Santowasso, received in the BOH office 2/28/06 which was the final compilation with all changes. This is for new construction, LOI submitted by NJDEP dated 2/4/02 #1022-01-1001.1 stating "freshwater wetlands were not present and nothing occurs within a transition area or buffer zone." For 38.02, for the primary, soil log 7-40405 at 126" done 4/6/05, no mottling, seepage at 80" Soil log 8-40605 at 144", no mottling, seepage at 100", permeability test was pit bail 1-40605 done 4/6/05 @ 126", results of 2.97" per hour K3. In season ground water monitoring was done from 4/7/05 – 4/9/05. Water level determined by wet season monitoring for the primary regional on 4/7/05 in soil log 7-40605 @ 60".

For the reserve area, done 4/6/05, soil log 9-40605, @ 120", no mottling, seepage at 108", soil log 10-40605 @ 120", no mottling, seepage at 80". Permeability test pit bail 2-40605 @ 120" on 4/6/05, 2.96"/hour, K3, monitoring done for 3 days, 4/7/05 – 4/9/05. Regional zone established 4/7/05 @ 72", monitoring results based on 4/9/05, soil log 9-40605 @ 66".

This motion was seconded by Mr Facinelli. On roll call vote the following was recorded:

Ms. Butula	Aye	Ms. Sheay	Aye
Mr. Facinelli	Aye	Chair Nugent	Aye

Mr. Richard Clark stated "I am going to appeal to the Chair, you have gone through one thoroughly with all of the information, that you adopt what is on the maps and what is in the report rather than to go through, frankly, you are not making a decision, you are just reciting what is already before you, in the interest of time and fairness, other than Lot 38.07, which I think that could be done separately Mr. Chairman, because you've got to make sure there is no issue on that, I just think we're taking time that is completely unnecessary, just repeating it doesn't make it so, the maps make it so, they are supported by your own engineers report, all we're doing is reading things here, if there is a question about any one of those issues, that is what we're here to address, I don't understand why we're reading everything. All you have to do is if there is a question about it, fine, consult with your engineer, if there is a question with us, consult our engineer. We're going to be here for another hour just reading. Respectfully, I don't feel that's an appropriate role for a board."

Chair Nugent stated "Mr. Clark, I recognize your suggestion, unfortunately, this is the procedure we follow, and in reality, you have probably just chewed up enough time to get through another lot, because we are moving along very fast now, I respectfully decline your request, and would suggest that we move on to 38.03, Mr. Santowasso, if you would be so kind."

Mr. Santowasso stated this test was done in 04/2001 by Bohren & Bohren. Soil log 1 in the reserve, 156" deep, no water, no seepage found from 4/2/01 – 4/5/01. Soil log 2 in the reserve 156" depth, no water, no seepage from 4/2/01 – 4/5/01. Soil log 3 in the primary, 162", no water, no seepage, from 4/2/01 – 4/5/01.

Soil log 4, primary, 156" depth, no water, no seepage, from 4/2/05 – 4/5/01. Basin flood 1 and basin flood 2 in the reserve, emptied within 24 hours on both the first and second flooding. The systems are located to the rear of the lot, the primary is closest to the house, the reserve is toward

the rear of the lot further removed from the house. The 100' radius shows that the system is not impacted. The tank will be located outside the 100' radius shown in the front of the lot.

A **MOTION** was made by Ms. Butula for **Block 25/Lot 38.03**, all the map names were said previously, this is new construction. For the primary, soil log 3 at 64" done 4/2/05, no mottling, seepage or groundwater, no hydraulically restricted horizons, soil log 4 done at 96", no mottling, seepage or groundwater, no hydraulically restricted horizons, permeability test was basin flood 2 at 128" done 4/2/01, passing results. In season groundwater monitoring was done 4/2/01 – 4/5/01, no groundwater, regional zone was determined by both the logs and the monitoring with no groundwater. In the reserve area, logs done 4/2/01, soil log 1 @ 156", done with no mottling, seepage or groundwater, no hydraulically restricted horizons, soil log 2 @ 156" no mottling, seepage, groundwater or hydraulically restricted horizons. Basin flood 1 was done for permeability @ 128" on 4/2/01, passing. In season groundwater monitoring was done 4/2/01 – 4/5/01, no groundwater, regional was determined by both the logs and monitoring.

This motion was seconded by Mr Facinelli. On roll call vote the following was recorded:

Ms. Butula	Aye	Ms. Sheay	Aye
Mr. Facinelli	Aye	Chair Nugent	Aye

Ms. Taormina confirmed that the LOI # was actually on the maps.

Mr. Santowasso stated it is on the Preliminary Major Subdivision Lot Layout, sheet 1 of 12, note 3.

Chair Nugent asked Mr. Santowasso, if he would provide the board with a soil log map, 1 of 1 soil test map, signed by a licensed engineer.

Chair Nugent stated the next lot is 38.04.

Mr. Santowasso stated, 3804-1R, done on 4/28/03 depth 156", no seepage, no groundwater, excavation open from 4/28/03 – 4/30/03. Soil log 3804-2R for the reserve done 4/28/03 depth 255", no seepage, no groundwater, excavation open from 4/28/03 – 4/30/03. Soil log 3803-1R, in the primary to the rear of the lot, done 4/23/03 depth of 223", no seepage, no groundwater, excavation open from 4/23/03 – 4/25/03, no mottling, no seepage, fractured rock substratum at a depth of 138", hydraulically restrictive horizon depth 0 -138". Soil log 3803-2R, primary done 4/23/03 depth 233", no seepage, no groundwater, excavation open from 4/23/03 – 4/25/03, fractured rock substratum at a depth of 112", hydraulically restrictive horizon depth 0 -112".

Basin flood 3803-R in the primary to a depth of 18.58', basin flood empty first flooding within 24 hours, 2nd flooding empty within 24 hours. There was some question as to whether or not the reserve could be done within the 50% course fragments. Soils testing, pit bails were done, resulted in a K4 factor, for test #4A and 4B, soil was rocky friable, strong sandy loam with strong brown sandy clay loam mix, permeability class rating and perk tests were done data indicated rates of both 3804-1RPTA, 3804-1RPTB at 5.66" per hour.

Chair Nugent confirmed that there is a 15' pedestrian easement on 38.05, not on this 38.04 proposed lot.

A **MOTION** was made by Ms. Butula to approve the data submitted for **Block 25/Lot 38.04**, all previous map information was stated for Lot 1. For the primary, soil log 3803-1R at 223" done 4/23/03, no mottling, seepage or groundwater, a hydraulically restricted horizon 0 -138", soil log 3803-2R at 233", no mottling, seepage or groundwater, hydraulically restricted horizon 0 – 42", permeability test was basin flood 3803-R at 223" done 4/23/03, passing results. In season groundwater monitoring was done 4/23/03 – 4/25/03, no groundwater so both the logs and monitoring determined the regional groundwater, no groundwater demonstrated. Reserve area done 4/28/03 soil log 3804-1R @ 156", no mottling, seepage or groundwater. Soil log 3804-2R @ 255", no mottling, seepage or groundwater. Permeability test for the reserve, soil sample test 4A, revealed K4, test 4B resulted in soil permeability class rating K4, done 1/16/06. Perk tests done at 96" done 1/6/06 @ 96" revealed 5.66 min./inch. In season groundwater dates were 4/28 –

4/30/03, no groundwater demonstrated, regional was determined by both logs and monitoring which revealed no groundwater.

This motion was seconded by Mr Facinelli.

Chair Nugent confirmed with Mr. Hansen that the note that on both the primary and reserve logs there was a hydraulically restrictive horizon 0 – 138” only affects the design.

Mr. Hansen stated that is correct, it will affect the depth of the select fill, there is no groundwater, no artesian conditions, nothing to negatively affect the design.

Ms. Vaccarella made a correction, the data was received on 2/28/06, not 2/26/06.

On roll call vote the following was recorded:

Ms. Butula	Aye	Ms. Sheay	Aye
Mr. Facinelli	Aye	Chair Nugent	Aye

Mr. Richard Clark asked if there were any outstanding issues on any of the remaining lots, so that they can be prepared to have them addressed at the next meeting.

Ms. Butula stated that there were some questions to be answered.

Mr. Clark stated that what is before them is just the engineers answering questions, not additional information, something that looks wrong, has failed or anything.

Ms. Butula stated answering for herself, that is right.

Chair Nugent stated the only thing was the issue with Lot 38.07 and not having consistency between the maps and needing a map signed by the engineer.

Mr. Clark stated that would be done by the next meeting.

Ms. Butula stated there are two things on the map Preliminary Major Subdivision and SESC Plan, two say existing wells.

Mr. Clark stated they were test wells, as one of the checklist items for a preliminary major subdivision application.

Mr. Hartman stated they are wells that will be used, they will be tested for water quality before a CO is obtained.

Mr. Santowasso asked if the Chair wanted him to sign and date a map now.

Chair Nugent stated yes, that is map 1 of 1 received 2/2/06.

Mr. Clark stated he would asked that they be placed on the agenda next month, so that they may finish.

Chair Nugent stated agreed, that is the goal of the board as well.

G. ADJOURNMENT

A *MOTION* was made by Mr. Facinelli to adjourn at 10:32 pm, seconded by Ms. Butula with a vote of Ayes all, Nays, none recorded.

Respectfully submitted:

Lorraine Petzinger

Board of Health Secretary